



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Project Number: 3012098

Applicant: Andrew Novion

Address: 509 21st Ave

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one development site into two unit lots. The construction of one residential units has been approved under project #6177556. This subdivision of property is only for the purpose of allowing sale or lease of unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots.

The following approval is required:

Short Subdivision - to create two unit lots. (Chapter 23.24, Seattle Municipal Code).

BACKGROUND INFORMATION

Zoning: LR-1

Public Comment: one comment letter received

ANALYSIS – UNIT LOT SUBDIVISION

This unit lot subdivision is a type of short subdivision, and is subject both to the general approval criteria for short subdivisions and also specific requirements for unit lot subdivisions.

General short subdivision standards: Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition, or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions, as modified by this chapter;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*

3. *Adequacy of drainage, water supply and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of Section 25.09.240, Short subdivisions and subdivisions, in environmentally critical areas;*
6. *Whether the proposed division of land is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, or single-family housing; and*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Based on information provided by the applicant, referral comments from DPD and other City Departments, and review and analysis by the Land Use Planner, the above criteria have been met. The unit lot subdivision meets all minimum standards or applicable exceptions set forth in the Land Use Code. This unit lot subdivision will provide pedestrian and vehicular access (including emergency vehicles), and public and private utilities. For all unit lots proposed without street frontage, this plat will be required to provide an easement or covenant to allow for the proper posting of address signage. Adequate provisions for drainage control, water supply and sanitary sewage disposal for each lot and service is assured, subject to standard conditions governing utility extensions. Unit lot Subdivisions are not subject to SMC 25.09.240. Tree and other landscaping requirements were considered under the building permit review. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional owner-occupied housing opportunities in the City.

Unit lot subdivision standards: The unit lot subdivision must conform to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.

A. The provisions of this section apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, and single-family dwelling units in zones where such uses are permitted.

B. Except for any site for which a permit has been issued pursuant to Section 23.44.041 for a detached accessory dwelling unit, sites developed or proposed to be developed with dwelling units listed in subsection A above may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any

private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.

C. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.

D. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard open space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.

E. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of the King County Department of Records and Elections.

F. The facts that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.

Since a structure, proposed for eventual demolition, still occupied the site at the time of application for this short subdivision, this plat is being conditioned to require that individual unit lots not be individually sold separately from any other unit lot prior to removal of the existing structure in order to satisfy SMC 23.24.040A7. With this condition, the unit lot subdivision conforms to applicable standards of SMC 23.24.045. Structures reviewed under a separate building permit, conform to the development standards at the time the permit application was vested to the Land Use Code.

DECISION – UNIT LOT SUBDIVISION

The proposed Unit Lot Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS OF APPROVAL PRIOR TO RECORDING

- 1) Add City Light easement to the plat.
- 2) Revise the CONDITION - NOTE language on sheet 1 per the following: “Unit lots are not separate buildable lots. Additional development of the individual unit lots may be limited as a result of application of development standards to the parent lot.” Include the label PARENT LOT with the legal description of the entire existing lot. Resolve minor edits requested by DPD Addressing reviewer.

- 3) Demarcate and provide the legal description on the plat describing the specific area of the property as the emergency egress easement area required per building code reviewer.
- 4) Provide an easement or covenant on the plat to allow for the proper display of address signage for the new unit lot that will be created without street frontage.

Signature: (Signature on File)
Jerry Suder, Land Use Planner, Supervisor
Department of Planning and Development

Date: August 25, 2011